

# Memorandum



Date: June 30, 2015  
To: Honorable Chairman Jean Monestime, 4:13  
and Members, Board of County Commissioners  
From: Carlos A. Gimenez  
Mayor  
Subject: Recommendation for Approval to Award 60-Foot Articulated Hybrid Buses

Agenda Item No. 8(F)(4)

Resolution No. R-564-15

This item was amended at the February 11, 2015 meeting of the Transit and Mobility Services Committee to reflect that NABI Bus, LLC was merged into New Flyer of America, Inc., effective December 28, 2014. The memorandum and resolution have been changed to reflect the name change.

## Recommendation

In accordance with Resolution R-178-02, it is recommended that the Board of County Commissioners (Board) approve award of *Contract No. FB-00002, Sixty-Foot Articulated Hybrid Buses* to New Flyer of America, Inc. for the purchase of up to 64 hybrid-drive buses on behalf of Miami-Dade Transit. This contract will provide for the purchase of hybrid-drive (i.e., diesel-electric) low-floor heavy duty mass transit buses, parts, ancillary items and training services.

The buses will be used to support Miami-Dade Transit's Bus Rapid Transit Service, which includes suburban express and general urban area service. Use of these buses will enhance bus service along the Biscayne Boulevard and NW 27 Avenue corridors, as well as the South Miami-Dade Busway. The buses have a minimum life expectancy of 12 years or 500,000 miles.

## Scope

The impact of this item is countywide in nature.

## Fiscal Impact and Funding Source

The fiscal impact for the five-year term is \$71,387,000 for the purchase of up to 64 buses and supported by existing and future federal and state grant funds. Some of the grants will require a local match from Charter County Transportation Surtax funds. The buses will only be purchased upon the County obtaining the necessary grant funds.

The solicitation issued was strictly for diesel/electric hybrid buses in order to comply with the federal and state requirements that the buses be more efficient and reduce emissions. Additionally, the State of Florida Department of Transportation grants identified below require the buses to have diesel/electric hybrid propulsion systems. In order to not miss the opportunity to purchase more fuel efficient buses that generate less emissions, the County sought hybrid buses at the same time that it is in the process of completing a solicitation for compressed natural gas vehicles. If the County chooses to purchase compressed natural gas vehicles as an alternative, the agreements with the federal and state governments can be amended and a new procurement will be sought for the purchase.

| Quantity of Hybrid Buses | Funding Source   |
|--------------------------|--|
| 41                       | State of Florida Department of Transportation Grant and a 50 percent local match from Charter County Transportation Surtax Funds         |
| 2                        | Federal Transit Administration 5307 Grant (these two buses will supplement service along the South Miami-Dade Busway)                    |
| 21                       | Future State of Florida Department of Transportation Grant and a 50 percent local match from Charter County Transportation Surtax Funds) |

The number of buses to be purchased is derived from the Transportation Improvement Program, Fiscal Years 2012-2013 to 2016-2017 as approved by the Miami-Dade Metropolitan Planning Organization Governing Board on May 17, 2012.

**Track Record/Monitor**

Jesus Lee, CPPB, of the Internal Services Department is the Procurement Officer. Fred Shields of MDT is the Contract Manager.

**Delegated Authority**

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

**Vendors Recommended for Award**

An invitation to Bid was issued under full and open competition on January 24, 2014. One bid was received in response to the solicitation. The method of award was to the lowest-priced responsive, responsible bidder in the aggregate.

| Awardee  | Address   | Principal                         |
|--|---|-----------------------------------|
| New Flyer of America, Inc,<br>previously NABI Bus, LLC | 6200 Glenn Carlson Drive, St. Cloud,<br>MN 56301-8852 | Paul Soubry, President and<br>CEO |

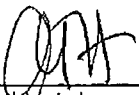
This procurement was structured to comply with Federal Transit Administration guidelines since Federal Transit Administration funding will be used to purchase a portion of the buses. A Federal Transit Administration Pre-Award Buy America audit was conducted to determine if the selected vendor, New Flyer of America, Inc., had a documented plan for how it intended to meet the Buy America requirements outlined in the Code of Federal Regulations. New Flyer of America, Inc. meets the audit requirements for production of the solicited buses.

**Due Diligence**

Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors and federal excluded parties. There were no adverse findings relating to contractor responsibility. This information is being provided pursuant to Resolution R-187-12.

**Applicable Ordinances and Contract Measures**

- No contract measures apply as this contract is funded in part by federal funds.
- The Living Wage Ordinance does not apply as this contract is funded in part by federal funds.
- The two (2) percent User Access Program provision does not apply as this contract is funded in part by federal funds.

  
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Alina T. Hudak  
Deputy Mayor

# Memorandum



Date: June 30, 2015

To: Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

From: Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Supplemental Information for Sixty Foot Articulated Hybrid Buses

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This contract award includes Charter County Surtax Funds. As such, this award recommendation is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). The recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item. This item is scheduled for the January 2015 CITT meeting.

A handwritten signature in black ink, appearing to read "Alina T. Hudak", written over a horizontal line.

Alina T. Hudak  
Deputy Mayor

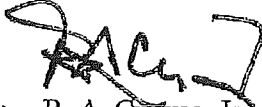


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** June 30, 2015

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(F)(4)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved  Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 8(F)(4)  
6-30-15

RESOLUTION NO. R-564-15

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00002 TO NEW FLYER OF AMERICA, INC. FOR PURCHASE OF 60-FOOT ARTICULATED HYBRID BUSES IN THE TOTAL AMOUNT NOT TO EXCEED \$71,387,000.00 FOR THE MIAMI-DADE TRANSIT DEPARTMENT; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY CANCELLATION, RENEWAL AND OTHER PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

CLERK OF THE BOARD  
2015 JUL -2 PM 4:13

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

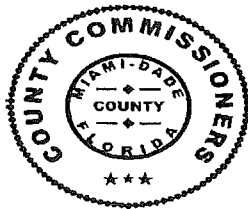
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves award of Contract No. FB-00002 to >>New Flyer of America, Inc.<<<sup>1</sup> [~~NABI Bus, LLC.~~] for purchase of 60-Foot Articulated Hybrid Buses as set forth in the incorporated memorandum and the contract on file with the Internal Services Department in the total amount not to exceed \$71,387,000, and authorizes the County Mayor or County Mayor's designee to execute same and exercise any cancellation, renewal, and other provisions contained therein and authorizes the use of Charter County Transportation System Surtax funds for such purposes.

<sup>1</sup> Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

|                                     |        |
|-------------------------------------|--------|
| Jean Monestime, Chairman            | aye    |
| Esteban L. Bovo, Jr., Vice Chairman | absent |
| Bruno A. Barreiro                   | nay    |
| Daniella Levine Cava                | aye    |
| Jose "Pepe" Diaz                    | aye    |
| Audrey M. Edmonson                  | aye    |
| Sally A. Heyman                     | aye    |
| Barbara J. Jordan                   | aye    |
| Dennis C. Moss                      | aye    |
| Rebeca Sosa                         | absent |
| Sen. Javier D. Souto                | absent |
| Xavier L. Suarez                    | absent |
| Juan C. Zapata                      | aye    |

The Chairperson thereupon declared the resolution duly passed and adopted this 30<sup>th</sup> day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Bruce Libhaber



Memorandum



To: Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director

Date: January 13, 2015

Re: **CITT AGENDA ITEM 5E:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE AWARD OF CONTRACT NO. FB-00002 FOR PURCHASE OF 60-FOOT ARTICULATED HYBRID BUSES IN THE TOTAL AMOUNT NOT TO EXCEED \$71,387,000.00 FOR THE MIAMI-DADE TRANSIT DEPARTMENT; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ANY CANCELLATION, RENEWAL AND OTHER PROVISIONS CONTAINED THEREIN, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS IN AN AMOUNT UP TO \$49,430,020 FOR SUCH PURPOSES (MDT/ISD – BCC Legislative File No. 150352)

On January 13, 2015, the CITT voted (11-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 15-005. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye  
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye  
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye  
Alfred J. Holzman – Aye  
Jonathan Martinez – Aye  
Miles E. Moss, P.E. – Aye  
Marilyn Smith – Aye

Peter L. Forrest – Aye  
Prakash Kumar – Aye  
Alicia Menardy, Esq. – Absent  
Hon. James A. Reeder – Aye  
Hon. Linda Zilber – Absent

cc: Alina Hudak, Deputy Mayor/Director Public Works & Waste Management Department  
Bruce Libhaber, Assistant County Attorney